

# **Exhibit “B”**

Immediate Temporary Suspension Order dated  
September 11, 2023



## United States Department of the Interior

### BUREAU OF LAND MANAGEMENT

Stillwater Field Office

5665 Morgan Mill Road

Carson City, Nevada 89701

Phone: 775-885-6000

Fax: 775-885-6147

<https://www.blm.gov/nevada>



In Reply Refer To:  
NVN-69690  
3809 (LLNVC01000)

SEP 11 2023

RECEIVED

SEP 12 2023

BLM NVSO IAC

### DECISION

CERTIFIED MAIL - RETURN RECEIPT REQUESTED – 7022 0410 0001 5727 8745

Rawhide Mining LLC  
Attention: Chris Zerga  
2040 Reno Hwy #212  
Fallon, NV 89407

CERTIFIED MAIL - RETURN RECEIPT REQUESTED – 7022 0410 0001 5727 8752

Silview Credit Partners, LP  
Attention: Brian Rigert  
40 West 57th Street - 29th Floor  
New York, NY 10019

### IMMEDIATE TEMPORARY SUSPENSION ORDER

Pursuant to 43 CFR § 3809.601(b)(2), Rawhide Mining LLC is hereby ordered to immediately suspend removal of any equipment necessary for fluid management (i.e., for the circulation of solution from processing and containment ponds to the leach pads) at the Denton-Rawhide Mine site.

On August 30, 2023, BLM and the Nevada Division of Environmental Protection, Bureau of Mining Regulation and Reclamation (NDEP) received a letter informing us that your debtholders had taken all of your funds and left Rawhide Mining LLC unable to operate at the Denton-Rawhide Mine Plan of Operations (Plan) NVN-69690 and unable to cover its bills or payroll, which will result in staff layoffs and a power shut-off at the mine that would directly impact the mine's ability to circulate solution from processing and containment ponds to the leach pads, thereby risking an environmental incident from overtopping of the ponds. In response, NDEP began coordination with their Environmental Mitigation, Assessment, and Remediation contractor, Broadbent & Associates, to eventually assume management of the site. On September 6, 2023, representatives from the BLM and NDEP met onsite with Rawhide Mine staff and Jeremy Boucher from Broadbent & Associates to discuss site conditions. Part of that discussion included crew size recommendations and equipment needs to maintain the heap leach pad solution volumes and keep all fluids on containment.

This immediate temporary suspension order is being issued to, "protect health, safety, or the environment from imminent danger or harm," that could result from uncontrolled cyanide solution flows if fluid

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CALIFORNIA\*, NEVADA\*, OREGON\*

\* PARTIAL

management is interrupted. To ensure the solution does not overtop the existing process ponds in the immediate future and until such time as NDEP and BLM can implement stabilization and reclamation activities, all pertinent equipment related to fluid management of the project must be maintained. This includes, but is not limited to, generators, pumps, associated electrical equipment, solution pipelines, fuel tanks, and other related equipment. This immediate temporary suspension order considers the possibility that lienholders may seek to remove equipment from the mine site, thereby causing environmental contamination to the public lands and a public health and safety threat.

Be advised that removing vital equipment for fluid management prior to BLM approval may result in unnecessary or undue degradation of the public lands, which is a prohibited act under 43 CFR §§ 3809.605(a) and (f). Before removing or selling any equipment from the site you must consult with BLM to ensure the removal will not result in the risk of environmental contamination and harm to public health and safety.

To resolve this enforcement order and terminate the immediate temporary suspension, within seven (7) days Rawhide Mining LLC must comply with BLM's August 16, 2023, Noncompliance order by providing an acceptable increased financial guarantee as required by 43 CFR § 3809.500(b) and provide evidence demonstrating you are able to operate under and comply with the Plan of Operations, NVN 69690.

If you are unable to resolve this enforcement order within the timeframe noted above, then upon completion of bond forfeiture proceedings (under a separate decision) and BLM's initiation of reclamation activities, BLM will inform you by written correspondence when this temporary suspension has been lifted and removal of equipment described in this order is allowed.

If you fail to comply with this immediate temporary suspension order, BLM will take any appropriate administrative, civil or criminal action that is necessary or warranted to prevent or address any environmental or public health safety issues resulting from such noncompliance.

Appeal of the Decision - If you feel that this suspension order is in error, you may request that the Nevada BLM State Director review this decision. If you request a State Director Review, the request must be received in the Nevada BLM State Office at 1340 Financial Blvd. Reno, NV 89502, no later than 30 calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless a stay is granted by the State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the Nevada BLM State Office to determine when BLM received the request for State Director Review. You have 30 days from the end of the 21-day period in which to file your Notice of Appeal with this office at (Stillwater Field Office, 5665 Morgan Mill Road, Carson City, NV 89701) which we will forward to IBLA.

Under 43 CFR § 3809.801(a)(1), if you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR Part 4. Your Notice of Appeal must be filed in this office at (Stillwater Field Office, 5665 Morgan Mill Road, Carson City, NV 89701) within 30 days from receipt of this decision. As the appellant you have the burden of showing that the decision appealed from is in error. Enclosed is BLM Form 1842-1 that contains information on taking appeals to the IBLA. This decision will remain in effect while the IBLA's decision is pending, unless you request and obtain a stay under 43 CFR § 4.21.

Request for a Stay - If you wish to file a petition pursuant to regulations at 43 CFR § 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of appeal and petition for a stay must also be submitted to each party named in the decision and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR § 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay - Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal must show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

If you have any questions, please contact Kenneth Depaoli, Geologist, or myself at (775) 861-6632.

*Kimberly D. Dow*

Kimberly D. Dow  
District Manager  
Carson City District Office

Enclosure:  
BLM Form 1842-1

cc: BLM, Branch of Solid Minerals (Adjudication), 1340 Financial Blvd. Reno, NV 89502

NDEP BMRR, Attn: Keith Hayes, 901 S. Stewart Street, Suite 4001, Carson City, NV 89701

Regional Solicitor, Pacific Southwest Region, U.S. Department of the Interior, Attn: Nancy Zahedi,  
2800 Cottage Way, Room E-2753, Sacramento, CA 95825-1890

Rawhide Acquisition Holding LLC, Austral Gold North America Corp., Attn: Stabro Kasaneva -  
CEO, P.O. Box 10007 Pacific Centre Vancouver, BC V7Y 1A1, Canada

Rawhide Acquisition Holding LLC, EMX (USA) Services Corp., Attn: Dave Cole -CEO, 10001 West  
Titan Road, Littleton, Colorado, 80125

Rawhide Acquisition Holding LLC, Attn: Marceau Schlumberger, 757 Third Avenue, Suite 1703,  
New York, New York, 10017